

KENT COUNTY BOARD OF COMMISSIONERS

*Thursday, May 24, 2001
Administration Building - Room 310*

Meeting called to order at 8:32 a.m. by Chair Steven R. Heacock.

Present: Commissioners Boelema, Buege, Hiddema, Horton, Koorndyk, Kuhn, Mast, Mayhue, McGuire, Morgan, Morren, Postmus, Sak, Vaughn, Vonk, Wahlfield, Chair Heacock – 17.

Absent: Kuipers, Smoke – 2 (Excused).

Invocation: Commissioner Buege gave the invocation. The Pledge of Allegiance followed.

PUBLIC COMMENT

There was no public comment.

SPECIAL ORDER OF BUSINESS

GASB 34 Update

Dave Waichum, Director of Fiscal Services, gave a presentation on what Governmental Accounting Standards Board (GASB) Statement No. 34 is and what it means to Kent County. (A copy of the presentation is on file in the Office of the County Clerk.)

Convention/Arena Authority Update

Chair Heacock and Dale Sommers gave an annual update on the Convention/Arena Authority. Chair Heacock gave a brief background of the Convention/Arena Authority board. This entity is governed by a 7-person board, chaired by Steve Heacock, which has the responsibility for oversight, vision, and policy. Mr. Sommers distributed an overview of the four phases of the project (copy of which is on file in the Office of the County Clerk.), showing construction timelines on DeVos Hall, Grand Gallery & Exhibit Hall, Grand Center and Welsh Auditorium. A 9-minute video was shown which will be used for marketing efforts and fundraising activities.

(Commissioner Buege left the meeting at this time.)

CONSENT AGENDA

- a) Approval of the Minutes of May 10, 2001 Meeting
- b) May 15, 2001 Finance Committee Meeting Minutes (Reports of Claims and Allowances)

c) Appointments to the Kent County Family and Children's Coordinating Council –
Ruth Ann Buntin and Candace Cowling

d) Resolutions:

5-24-01-64 – ADDITIONAL APPROPRIATION FOR PARK FUND 2000 BUDGET / FISCAL SERVICES

WHEREAS, the Parks operations, in 2000, incurred additional costs due to a higher level of activity than anticipated; total expenses were \$19,865 more than budgeted; and

WHEREAS, revenues were also higher than anticipated: Campground Licenses totaled \$29,705 more than budgeted, and Rental Charges totaled \$23,188 more than budgeted; and

WHEREAS, unanticipated revenues exceed the required additional expenses.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approved an additional appropriation of \$19,865 to cover the additional expenses.

5-24-01-65 – ACCEPTANCE OF ADDITIONAL GRANT FUNDING AND BUDGET ADJUSTMENT – RYAN WHITE TITEL II & FAMILY PLANNING / HEALTH DEPARTMENT

WHEREAS, the Health Department serves as the fiduciary for the Community AIDS Council of West Central Michigan. As fiduciary, the department receives funding from Ryan White Care Services grant monies for certain AIDS services; and

WHEREAS, the Health Department has received notice that an additional \$36,082 has been allocated for the AIDS Drug Assistance Program (ADAP) and \$18,750 has been allocated for general AIDS client services including case management, counseling, mental health, client advocacy and transportation; and

WHEREAS, the Health Department annually receives funds from the Department of Community Health for family planning education activities. The allocation includes \$196,025 for family planning education services delivered at substance abuse residential programs and to inmates at the Kent County Correctional Facility, which were omitted from the Health Department's original budget submission.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners hereby approves the Health Department's acceptance of \$54,832 in Ryan White Title funding and \$196,025 in family planning funds from the Michigan Department of Community Health; and

BE IT FURTHER RESOLVED that the Board approves an amendment to the budget to account for associated revenues and expenditures.

5-24-01-66 – ASSIGNMENT OF SHERIFF'S ADMINISTRATION FACILITY PROJECT TO THE KENT COUNTY BUILDING AUTHORITY / SHERIFF'S DEPARTMENT

WHEREAS, the Board of Commissioners (the "Board") of the County of Kent, Michigan (the "County"), has established the Kent County Building Authority (the "Building Authority") pursuant to Act 31 of the Public Acts of Michigan of 1948 (First Extra Session), as amended, MCL 123.951 et seq. ("Act 31"); and

WHEREAS, the Board deems it necessary and advisable for the County to cause

the renovation and remodeling of the existing approximately 36,250 square foot Sheriff's Department administrative facility (the "Facility"), the construction of an approximately 36,900

square foot addition to the Facility and the acquisition and installation of furniture, fixtures and equipment located and to be located at 701 Ball Avenue, N.E. in the City of Grand Rapids, Kent County, Michigan (the "Project") for use for public purposes; and

WHEREAS, the Building Authority is authorized by its Articles of Incorporation and Act 31 to renovate, remodel, construct, furnish and equip the Project on behalf of the County and to lease the same to the County pursuant to a limited full faith and credit general obligation contract of lease; and

WHEREAS, the Building Authority has indicated that it is willing to undertake the renovation, remodeling, construction, furnishing and equipping of the Project and to lease the same to the County; and

WHEREAS, the Board adopted Resolution 2-22-01-25 on February 22, 2001, directing publication of a notice of intent to enter into a limited full faith and credit general obligation contract of lease with the Building Authority in connection with the financing of the Project which contract of lease may not become effective until forty-five (45) days after such notice of intent is published.

WHEREAS, the notice of intent to enter into a limited full faith and credit general obligation contract of lease was published in *The Grand Rapids Press* on February 27, 2001, more than forty-five (45) days has elapsed since such publication and the City Clerk has not received a petition pursuant to Act 31 requiring a referendum on the question of the County entering into such contract of lease before it may become effective; and

WHEREAS, the Board deems it to be in the best interest of the County to finance the cost of the Project through the issuance of not to exceed Eleven Million Dollars (\$11,000,000) of Building Authority bonds (the "Bonds"); and

WHEREAS, the Building Authority has indicated its willingness to undertake the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Kent, Michigan:

1. That the Contract of Lease substantially in the form attached hereto as Exhibit A (the "Lease Contract") is hereby approved and the Chairperson of the Board and County Clerk are hereby authorized and directed to execute such Lease Contract for and on behalf of the County in substantially the form approved with such changes as may be necessary or desirable, are not materially adverse to the County and as approved by bond counsel for the Bonds, for and on behalf of the County.

2. That the Chairperson of the Board, Vice Chairperson of the Board, County Clerk, County Treasurer, County Administrator, Deputy County Administrator and County Fiscal Services Director, or any of them, are hereby authorized and directed to execute such additional certificates and other documents in a form approved by bond counsel for the Bonds in connection with the issuance of the Bonds.

3. That all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same hereby are, rescinded.

5-24-01-67 – PAUL I. PHILLIPS RECREATION CENTER REPAIRS / FACILITIES MANAGEMENT

WHEREAS, the Grand Rapids Parks and Recreation Department leases the Paul I.

Phillips Recreation Center from Kent County for its organized recreation programs; and

WHEREAS, the lease calls for Kent County to pay for all major and structural maintenance; the City of Grand Rapids provides for all day-to-day janitorial, maintenance, and supplies; and

WHEREAS, the City of Grand Rapids Recreation Department has requested repairs and renovations to the building which include replacement of ceilings, flooring, and lighting in the main East and West lobbies, replacement lockers in the men's locker room, repairs to bleachers, updating emergency lighting, replacing North and East entry doors, and asphalt parking lot repairs. Bids have been received for the work and the total is \$51,209.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approves a transfer of \$51,209 from Contingency Fund to 2001 Facilities Management Budget for the repairs and renovations to the Paul I. Phillips building.

5-24-01-68 – EMPLOYEE BUSINESS EXPENSES POLICIES / FISCAL SERVICES

WHEREAS, all Employee Business Expense Policies are reviewed every two years. A team consisting of Jim Day-Executive Assistant to the Board, Robin De Young-Financial Supervisor for Community Mental Health, Jon Hess-Undersheriff (Lloyd Pitsch – alternate), Robert Kreps-Financial Supervisor for Aeronautics and Paula Taylor-Circuit Court Finance Manager met and reviewed the three policies; and

WHEREAS, after reviewing the three policies, changes are recommended to clarify language and understanding. Adjustments were also made to reflect price increases experienced the past two years.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners thank the staff and approve the revisions as recommended.

5-24-01-69 – FISCAL POLICIES / FISCAL SERVICES

WHEREAS, all Fiscal Policies are reviewed every two years, a team consisting of Bill Anstey, Finance Division Director-Health; Jon Hess, Undersheriff; Ken Parrish, Treasurer; Jack Roedema, Family Division - Circuit Court Administrator; Mary Swanson, Human/Community Services Coordinator; and Al Vanderberg, Assistant County Administrator reviewed all Fiscal Policies except the Employee Business Expense Policies; and

WHEREAS, after reviewing all policies for content it is being recommended that two policies be eliminated: The Accurate Budgeting Incentive and the General Financial Goals. Additionally, changes were made to the language to clarify and make them more readable.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners thank the staff and approve the revisions recommended.

5-24-01-70 - AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE GRAND VALLEY METRO COUNCIL – ADD JAMESTOWN TOWNSHIP / BOARD OF COMMISSIONERS

WHEREAS, the members of Grand Valley Metropolitan Council ("Metro Council") have by majority vote approved Amendment No. 27 in the Articles of Incorporation of Metro Council; and

WHEREAS, the amendments have now been submitted for approval by the legislative bodies of the local governmental units that belong to Metro Council; and

WHEREAS, the Board of Commissioners of the County of Kent has considered Amendment No. 27 in the Articles of Incorporation of Metro Council.

NOW, THEREFORE, BE IT RESOLVED that Amendment No. 27 in the Articles of Incorporation of Grand Valley Metropolitan Council, approving the addition of Jamestown Township as a member of the Metro Council, is hereby approved.

5-24-01-71 – STAFF CHANGE / PUBLIC WORKS

WHEREAS, DPW has requested that a new classification be created to provide a position to schedule and monitor the disposition of work orders for the Operations and Maintenance Division; and

WHEREAS, the position will schedule emergency repair and preventive maintenance work; monitor progress and final disposition of work orders; maintain database systems for logging, tracking and closing work orders; and generate billable hours and other reports; and

WHEREAS, the O & M Supervisor position (MPP 22), which formerly performed prioritization and monitoring of the work order system, became vacant as the result of a promotion of the incumbent to Superintendent - Maintenance of the work order system does not require a position at the O&M Supervisor level; and

WHEREAS, the annual savings in salary costs is \$7,326.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves 1) creation of the classification of Maintenance Scheduler (UAW 22); and 2) conversion of one vacant O&M Supervisor position (MPP 22) to Maintenance Scheduler.

Motion by Commissioner Morren, supported by Commissioner Sak, to approve the consent agenda items.

Motion carried:

Yeas: Boelema, Hiddema, Horton, Koorndyk, Kuhn, Mast, Mayhue, McGuire, Morgan, Morren, Postmus, Sak, Vaughn, Vonk, Wahlfield, Chair Heacock – 16.

Nays: 0.

RESOLUTIONS

5-24-01-72 – ASSESSMENT OF REXFORD LAKE INTERCOUNTY DRAIN / DRAIN COMMISSION

WHEREAS, the Rexford Lake Drain is an intercounty drain established under Chapter 5 of Public Act 40 of 1956 (MCLA 280 et seq.) and, although the drain lies in three counties – Kent and Muskegon – the assessment district is located exclusively in Kent County; and

WHEREAS, intercounty drains are under the control of a Drainage Board comprised of the Drain Commissioners from the counties affected by the drain, and the Director of the State Department of Agriculture or his/her designee; and

WHEREAS, the Drainage District established for intercounty drains is a separate

corporation, run by the Drainage Board, with legal authority to enter into contracts, to assess counties benefited by the drain for costs of the drain, and to sue and be sued; and

WHEREAS, the Rexford Drainage District was sued for damages as the result of an automobile accident that occurred during a severe rain storm which caused the drain to overflow onto a county road; and

WHEREAS, the defendants in the suit (which included the Drainage District and the Kent County Road Commission) settled with the plaintiffs for \$90,000 and the Road Commission agreed to pay \$43,000 and the Drainage District agreed to pay \$47,000; and

WHEREAS, the cost was apportioned based on the usual formula – resulting in property owners in Tyrone and Sparta Townships being billed for a portion of the settlement, along with the townships at large and Kent County at large; and

WHEREAS, the County general fund has historically paid for the County's portion of drain assessments; and

WHEREAS, the property owners appealed the assessment and the Board of Review convened to hear the case ruled that Kent County should pay the entire amount of the settlement agreed to by the Drainage District for the benefit to County roads; and

WHEREAS, the Drainage District's portion of the settlement plus the other costs incurred total \$60,900.

NOW, THEREFORE, BE IT RESOLVED that the Kent County Board of Commissioners approve the payment of \$60,900 assessed to the County for the settlement of a lawsuit against the Rexford Lake Intercounty Drainage District.

BE IT FURTHER RESOLVED that the Board authorizes the transfer of \$60,900 to the Drains County At Large budget from contingency to fund the assessment.

Motion by Commissioner Wahlfield, supported by Commissioner McGuire, that the resolution be adopted.

Motion carried:

Yeas: Boelema, Hiddema, Horton, Koorndyk, Kuhn, Mast, Mayhue, McGuire, Morgan, Morren, Postmus, Sak, Vaughn, Vonk, Wahlfield, Chair Heacock – 16.

Nays: 0.

5-24-01-73 – PROPERTY ACQUISITION FOR MILLENNIUM PARK PROJECT / PARKS DEPARTMENT

WHEREAS, the purchase of property for the Millennium Park Project is a priority of the Kent County Board of Commissioners; and

WHEREAS, one parcel is currently being offered for sale and the County has entered into a purchase agreement for the property contingent on Board approval per Board Policy; and

WHEREAS, the Board has set funds aside for land acquisition and development of Millennium Park.

NOW THEREFORE BE IT RESOLVED, that the Kent County Board of Commissioners does hereby approve the purchase of the following property: Fosner property for \$185,000 and authorizes Chair Heacock or his designee to execute necessary documentation; and

BE IT FURTHER RESOLVED, that the Board of Commissioners authorizes the payment of the total purchase price of \$185,000 plus necessary transactional expenses and

realtor's fee from the Millennium Park CIP Account.

Motion by Commissioner Koorndyk, supported by Commissioner Wahlfield, that the resolution be adopted.

Motion carried:

Yeas: Boelema, Hiddema, Horton, Koorndyk, Kuhn, Mast, Mayhue, McGuire, Morgan, Morren, Postmus, Sak, Vaughn, Vonk, Wahlfield, Chair Heacock – 16.

Nays: 0.

REPORTS

There were no reports.

MISCELLANEOUS

Festival

Commissioner Kuhn announced that Festival 2001 will be held next weekend (June 1-3). Scott Tiedgen, a Kendall College Student, designed this year's poster.

ADJOURNMENT

At 9:39 a.m., Commissioner Morren moved to adjourn, subject to the call of the Chair, and to Thursday, June 14, 2001, at 8:30 a.m. for an Official Meeting. Seconded by Commissioner Sak. Motion carried.

Steven R. Heacock , Chair

Mary Hollinrake, County Clerk